



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Michael J. O'Phelan et al.

Title: FLAT CAPACITOR FOR AN IMPLANTABLE MEDICAL DEVICE

Docket No.: 279.234US4

Serial No.: 10/758,701

Filed: January 15, 2004

Due Date: N/A

Examiner: Mark H. Paschall

Group Art Unit: 3742

**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- A return postcard.
- A Communication Concerning Related Applications (1 pg.).
- A Supplemental Information Disclosure Statement (2 pgs.), Form 1449 (3 pgs.), and copies of 11 cited documents.

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
Customer Number 21186

By: Peter C. Maki  
Atty: Peter C. Maki  
Reg. No. 42,832

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27 day of February, 2005.

Name

Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

(GENERAL)



S/ 10/758,701

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael J. O'Phelan et al. Examiner: Mark H. Paschall  
Serial No.: 10/758,701 Group Art Unit: 3742  
Filed: January 15, 2004 Docket: 279.234US4  
Title: FLAT CAPACITOR FOR AN IMPLANTABLE MEDICAL DEVICE

COMMUNICATION CONCERNING RELATED APPLICATIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related applications in the above-identified patent application:

<u>Serial/Patent No.</u>	<u>Filing Date</u>	<u>Attorney Docket</u>	<u>Title</u>
10/996,903	November 24, 2004	279.831US1	METHOD AND APPARATUS FOR PROVIDING FLEXIBLE PARTIALLY ETCHED CAPACITOR ELECTRODE INTERCONNECT
10/969,441	October 20, 2004	279.235US2	FLAT CAPACITOR HAVING AN ACTIVE CASE

Respectfully submitted,

MICHAEL J. O'PHELAN ET AL.

By Applicants' Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 359-3267

Date 2/18/05

By Peter C. Maki  
Peter C. Maki  
Reg. No. 42,832

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 22nd day of February, 2005.

JAMES KAVYKSIK  
Name

James Kavykik  
Signature

S/N 10/758,701



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Michael J. O'Phelan et al. Examiner: Mark H. Paschall  
Serial No.: 10/758,701 Group Art Unit: 3742  
Filed: January 15, 2004 Docket: 279.234US4  
Title: FLAT CAPACITOR FOR AN IMPLANTABLE MEDICAL DEVICE

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. § 1.97(b), it is believed that no fee or statement is required with the Supplemental Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Supplemental Information Disclosure Statement considered.



Pursuant to 37 C.F.R. 1.98(a)(2), Applicant believes that copies of cited U.S. Patents and Published Applications are no longer required to be provided to the Office. Notification of this change was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004. Thus, Applicant has not included copies of any US Patents or Published Applications cited with this submission. Should the Office require copies to be provided, Applicant respectfully requests that notice of such requirement be directed to Applicant's below-signed representative. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

MICHAEL J. O'PHELAN ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 359-3267

Date 2/18/05

By Peter C. Maki  
Peter C. Maki  
Reg. No. 42,832

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JAMES KAUYSIK  
Name

James Kauysik  
Signature

<p>Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i></p> <p style="text-align: right;">FEB 29 2005 O I P E S S C S S PATENT &amp; TRADEMARK OFFICE</p>		<i>Complete if Known</i>	
		<b>Application Number</b>	10/758,701
		<b>Filing Date</b>	January 15, 2004
		<b>First Named Inventor</b>	O'Phelan, Michael
		<b>Group Art Unit</b>	3742
		<b>Examiner Name</b>	Paschall, Mark
Sheet 1 of 3		Attorney Docket No: 279.234US4	

### US PATENT DOCUMENTS

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EXAMINER

DATE CONSIDERED

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)		Complete if Known	
		<b>Application Number</b>	10/758,701
		<b>Filing Date</b>	January 15, 2004
		<b>First Named Inventor</b>	O'Phelan, Michael
		<b>Group Art Unit</b>	3742
		<b>Examiner Name</b>	Paschall, Mark
Sheet 2 of 3		Attorney Docket No: 279.234US4	

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Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
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Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		<i>Complete if Known</i> <b>Application Number</b> 10/758,701 <b>Filing Date</b> January 15, 2004 <b>First Named Inventor</b> O'Phelan, Michael <b>Group Art Unit</b> 3742 <b>Examiner Name</b> Paschall, Mark	
Sheet 3 of 3		Attorney Docket No: 279.234US4	

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
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EXAMINER

DATE CONSIDERED